



A Tangled Web

News

10.21.11

Chris Mills, a partner in the New Jersey office, was interviewed for the October 21 *New York Post* article "A Tangled Web." The article reported on the growing number of cases that are raising questions about when employees' social media activity can be grounds for firing and when that activity is protected by law. Just as some workers have been shocked to find out that things they post on the Web can put them in the unemployment line, some employers have been surprised to learn that there are limits to how much they can control what workers write in online forums. Recent rulings have depended heavily on the particular facts of each case, making it difficult to draw definitive conclusions about what's protected and what's not. Such cases have led many employers to revisit their social media policies, attempting to protect themselves from online embarrassment while avoid legal trouble. Chris said that he advises companies to specify that nothing in a social media policy should be construed to restrict employees from engaging in protected activity, including discussing wages, hours or working conditions with their colleagues.

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